

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ARTHUR COPELAND, et al.,

Plaintiffs,

v.

**C.A.A.I.R., INC., a not-for-profit
corporation, et al.,**

Defendants.

Case No. 17-CV-564-JFH-JFJ

**DEFENDANTS' JOINT SUBMISSION OF THE PARTIES' WRITTEN
CORRESPONDENCE REGARDING NEGOTIATIONS OF PARAGRAPH 2
OF THE COURT'S CLASS CERTIFICATION SCHEDULING ORDER**

During the July 27, 2020 hearing on Plaintiffs' *Motion to Extend* (Dkt. #181), the Court directed Defendants to submit the parties' written correspondence regarding negotiations of paragraph 2 of the Court's agreed *Class Certification Scheduling Order* (Dkt. #163). That correspondence is attached to this filing, in the (chronological) order set forth below. For context, in addition to this written correspondence, the parties held three meet-and-confer calls: the first on February 14, 2020, the second on March 4, 2020, and the third on March 11, 2020.

Ex. #	Description	Page
1	Chris S. Thrutchley's March 5, 2020 email to Plaintiffs' counsel	1
2	Mark Smith's March 6, 2020 email to Defendants' counsel ¹	1
	Attachment #1—Plaintiffs' draft <i>Motion to Amend</i> and proposed <i>Class Certification Scheduling Order</i> (together as one document)	4

¹ Attachment #2 to Mark Smith's March 6 email contained an early draft of Plaintiffs' proposed *Third Amended Complaint*. Given the document's size and the fact that it does not include any information regarding paragraph 2 of the *Scheduling Order*, Defendants have omitted the attachment from this *Submission*. If the Court would like to see the attachment, Defendants are happy to submit it.

	Attachment #3—Draft <i>Joint Motion for Class Certification Scheduling Order</i> and proposed <i>Class Certification Scheduling Order</i> (together as one document) ²	10
3	Chris S. Thrutchley’s March 10, 2020 letter to Plaintiffs’ counsel	1
4	Mark Smith’s March 10, 2020 email to Defendants’ counsel	1
	Attachment #1—Draft <i>Joint Motion for Class Certification Scheduling Order</i> and proposed <i>Class Certification Scheduling Order</i> (together as one document)	5
	Attachment #2—Plaintiffs’ draft <i>Motion to Amend</i>	11
5	Mark Smith’s March 11, 2020 email to Defendants’ counsel	1
	Attachment #1—Mark Smith’s March 11, 2020 letter to Defendants’ counsel	5
6	Chris S. Thrutchley’s March 12, 2020 email to Plaintiffs’ counsel	1
	Attachment #1—Plaintiffs’ draft <i>Motion to Amend</i>	6
	Attachment #2—Redline of draft <i>Joint Motion for Class Certification Scheduling Order</i> and proposed <i>Class Certification Scheduling Order</i> (together as one document)	12
7	Mark Smith’s March 12, 2020 email to Defendants’ counsel ³	1
	Attachment #1—Redline of Plaintiffs’ draft <i>Motion to Amend</i>	6
	Attachment #3—Plaintiffs’ final <i>Motion to Amend</i>	14
	Attachment #4—Proposed <i>Class Certification Scheduling Order</i> (Ex. 1 to Plaintiffs’ <i>Motion to Amend</i>)	21
	Attachment #5—Final <i>Joint Motion for Class Certification Scheduling Order</i>	25
8	Justin Lollman’s March 12, 2020 email to Plaintiffs’ counsel	1
9	Randy Long’s March 12, 2020 email to Plaintiffs’ counsel	1

² Mark Smith’s March 6, 2020 email included two drafts of the proposed *Class Certification Scheduling Order*: (i) one in the first attachment, immediately following Plaintiff’s draft *Motion to Amend*, see Ex. 2 at 8–9, and (ii) the other in the second attachment, immediately following the draft *Joint Motion for Class Certification Scheduling Order*, see Ex. 2 at 14–15. The draft proposed orders contain different deadlines.

³ Attachment #2 to Mark Smith’s March 12 email contained a copy of the transcript from the Court’s February 10 scheduling conference, which Plaintiffs planned to attach as an exhibit to their *Motion to Amend*. Attachment #6 to that email contained a final draft of Plaintiffs’ proposed *Third Amended Complaint*, which Plaintiffs planned to attach as an exhibit to their *Motion to Amend*. Given the size of these documents and the fact that they do not include any information regarding paragraph 2 of the *Scheduling Order*, Defendants have omitted the attachments from this *Submission*. If the Court would like to see these attachments, Defendants are happy to submit them.

Respectfully submitted,

/s/ Randall E. Long (signed with permission)

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of July 2020, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of the Electronic Filing to the following ECF registrants:

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